IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA VALDOSTA DIVISION

:

ELBERT LEE WILLIAMS,

:

Petitioner

.

VS.

:

Warden WILLIAM TERRY,

NO. 7:11-cv-156 (HL)

Respondent

ORDER

Petitioner **ELBERT LEE WILLIAMS** filed a *pro se* petition for writ of habeas corpus under 28 U.S.C. § 2254. On November 22, 2011, the Court ordered Petitioner to supplement his petition to provide more information regarding exhaustion of his state remedies. Petitioner responded by filing a document, which the Clerk's Office docketed as a motion, in which he requests that "this case be r[e]moved or dismiss[ed] at this time" (Doc. 8).

Under Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, a peitioner may voluntarily dismiss his action "before the opposing party serves either an answer or a motion for summary judgment[.]" Respondent has not yet served an answer or a motion for summary judgment. Accordingly, Petitioner's motion to dismiss is hereby **GRANTED** and the above-captioned action is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED, this 14th day of December, 2011.

s/Hugh Lawson

HUGH LAWSON UNITED STATES DISTRICT JUDGE